



20 APR

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10007591-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Srikanth Natarajan et al.

Confirmation No.: 9191

Application No.: 09/838,239

Examiner: Peling Andy Shaw

Filing Date: April 20, 2001

Group Art Unit: 2144

Title: METHOD AND SYSTEM FOR CONSOLIDATING NETWORK TOPOLOGY IN DUPLICATE IP NETWORKS

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on April 13, 2007.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

☒ A duplicate copy of this transmittal letter is enclosed.

Date: July 6, 2007

Respectfully submitted,

Srikanth Natarajan et al.

By

for Patrick C. Keane

Attorney/Agent for Applicant(s)

Reg No.: 32,858

Date: July 6, 2007

Telephone: (703) 838-6624

I hereby certify that this document is being filed by personal delivery to the Customer Service Window Randolph Building, 401 Dulany Street Alexandria, VA 22314, of the United States Patent & Trademark Office on the date indicated above.

By: Rick J. Keane 48,360

(Attorney Signature and Reg. No.)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inter Patent Application of

Srikanth Natarajan et al.

Application No.: 09/838,239

Filed: April 20, 2001

**For: METHOD AND SYSTEM FOR
CONSOLIDATING NETWORK
TOPOLOGY IN DUPLICATE IP
NETWORKS**

Group Art Unit: 2144

Examiner: Peling Andy Shaw

Appeal No.: _____

APPEAL BRIEF

Mail Stop APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This appeal is from the decision of the Primary Examiner dated January 16, 2007 finally rejecting claims 1-8, which are reproduced as the Claims Appendix of this brief.

This appeal is also in response to the Notice of Panel Decision from Pre-Appeal Brief Review dated June 6, 2007.

07/09/2007 SZEWDIE1 00000070 082025 09838239
01 FC:1462 500.00 DA

I. Real Party in Interest

The present application is assigned to Hewlett-Packard Development Company L.P. Hewlett-Packard Development Company L.P. is the real party in interest, and is the assignee of Application No. 09/838,239.

II. Related Appeals and Interferences

The Appellant legal representative, or assignee, does not know of any other appeal or interferences which will affect or be directly affected by or have bearing on the Board's decision in the pending appeal.

III. Status of Claims

The claims currently pending in this application are Claims 1-8, all of which stand finally rejected. Claims 1-8 are being appealed.

IV. Status of Amendments

No amendments were filed after final rejection.

V. Summary Claimed Subject Matter

As recited in independent claim 1, a method of managing a computer network (e.g., line 1 of paragraph [0009]; Fig. 2) comprises the steps of: assigning to at least one collection computer a management domain identifier uniquely associated with a management domain in which each collection computer resides (e.g., lines 3 and 4 of paragraph [0009]; Step 210); receiving, in at least one management computer, information from the at least one collection computer that includes the management domain identifier (e.g., lines 5 and 6 of paragraph [0009]; Step 215) and a trust flag to indicate a binary setting (e.g., lines 3-6 of paragraph [0030]); deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag (e.g.,

lines 8-10 of paragraph [0030]); and maintaining within the at least one management computer a database of the information accessed using the management domain identifier (e.g., lines 6-8 of paragraph [0009]; Step 220).

Independent claim 8 is directed to a system for managing a computer network (e.g., line 1 of paragraph [0009]; lines 1-3 of paragraph [0020]; Fig. 1), comprising: a plurality of collection computers (e.g., lines 3 and 4 of paragraph [0009]; e.g., 120, 125, 130, 135), wherein each collection computer is assigned a management domain identifier uniquely associated with a management domain in which each collection computer resides (e.g., lines 3-8 of paragraph [0020]); at least one management computer for receiving information, from the plurality of collection computers (e.g., lines 1-3 of paragraph [0021]; e.g., 105), that includes the management domain identifier and a trust flag to indicate a binary setting (e.g., lines 3-6 of paragraph [0030]), the at least one management computer being capable of deciding whether to resolve a hostname in the information being reported by the collection computers based on the binary setting of the trust flag (e.g., lines 8-10 of paragraph [0030]); and at least one computer database for maintaining within the at least one management computer information accessed using the management domain identifier (e.g., lines 1-3 of paragraph [0022]).

VI. Grounds of Rejection to be Reviewed on Appeal

The final Office Action presents the following grounds of rejection to be reviewed on appeal:

A. Claims 1-4, 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over PCT Publication WO 00/49769 (Lecheler et al.) in view of U.S. Patent No. 5,577,252 (Nelson et al.); and

B. Claims 1-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,948,055 (Pulsipher et al.) in view of the Nelson et al. patent.

VII. Argument

Independent claims 1 and 8 are allowable over the various combinations of PCT Publication WO 00/49769 (Lecheler et al.), US Patent 5,948,055 (Pulsipher et al.) and US Patent 5,577,252 (Nelson et al.). These documents, when considered individually or in combination suggested by the Examiner, would not have taught or suggested Appellants' claimed features of: 1) receiving, in at least one management computer, information from the at least one collection computer that includes the management domain identifier and a trust flag to indicate a binary setting; and 2) deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag. Independent claims 1 and 8 are therefore allowable.

1. The Examiner Has Failed To Establish A Prima Facie Case of Obviousness In Combining The Lecheler et al. Publication And The Nelson et al. Patent To Reject Independent Claims 1 and 8.

In numbered paragraph 5, on pages 2-4 of the final Office Action, independent claims 1 and 8, along with various dependent claims, are rejected as being unpatentable over PCT Publication WO 00/49769 (Lecheler et al.) in view of US Patent 5,577,252 (Nelson et al.). This rejection is respectfully traversed.

Appellants have disclosed at least one collection computer relating to a management domain identifier. As exemplified in Fig. 1, one or more collection stations can be designated as a management domain (e.g., paragraph [0020]). As further disclosed, a management domain identifier and a trust name flag can be added to the topology node object. For example, the trust name can be a single bit flag in the collection station object (e.g., paragraph [0030]).

As Appellants have disclosed, the claimed trust flag can be used to decide if the management station is supposed to perform name resolution on behalf of the collection station. Accordingly, the claimed trust flag within a duplicate IP networks environment can help to resolve the problem of two or more collection stations sending network events with the same names. Such claimed features are in direct contrast to a known security feature relating specifically to a server link.

The foregoing features are broadly encompassed by claim 1, which recites, among other features, receiving, in at least one management computer, information from the at least one collection computer that includes the management domain identifier and a trust flag to indicate a binary setting; and deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag. Claim 8 claims a system for managing a computer network reciting similar features.

The Examiner admits at page 3 of the final Office Action, that "Lecheler does not explicitly show (claim 1) a trust flag to indicate a binary setting and deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag." At least for these reasons, the Lecheler et al. publication would not have taught or suggested the features recited in claims 1 and 8.

The Nelson et al. patent does not cure the deficiencies of the Lecheler publication. The Nelson et al. patent discloses an assurance of security provided by a first name server to a second named server (col. 1, lines 54-66). However, the disclosed assurance is respect to the system security between name servers (col. 6, lines 62-66), but does not relate to resolving a hostname should a trust status indicate the need for a resolution. Rather, the Nelson et al. patent discloses that a way of allowing a name server to continue across a name server boundary is to have "the original context and the context in the second name server have the same encapsulated principal" (col. 7, lines 12-15); and that if the two contexts do not encapsulate the same principal, then "name server A cannot continue with the name resolution" (col. 11, lines 62-64). Further, Nelson et al. patent is silent as to a trust flag to indicate a binary setting. The Nelson et al. patent would not have taught or suggested 1) receiving, in at least one management computer, information from the at least one collection computer that includes the management domain identifier and a trust flag to indicate a binary setting; and 2) deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag, as recited in claim 1, and as similarly recited in claim 8.

For the foregoing reasons, Appellants' claims 1 and 8 are allowable over the combination of Lecheler et al. publication and the Nelson et al. patent. The remaining claims depend from independent claim 1 and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner.

2. The Examiner Has Failed To Establish A Prima Facie Case of Obviousness In Combining The Pulsipher et al. Patent And The Nelson et al. Patent To Reject Independent Claims 1 and 8.

In numbered paragraph 6, on pages 5-8 of the final Office Action, independent claims 1 and 8, along with various dependent claims, are rejected as being unpatentable over US Patent 5,948,055 (Pulsipher et al.) in view of US Patent 5,577,252 (Nelson et al.). This rejection is respectfully traversed.

The Examiner admits at page 5 of the final Office Action, that "Pulsipher does not explicitly show (claim 1) a trust flag to indicate a binary setting and deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag." At least for these reasons, the Pulsipher et al. patent would not have taught or suggested the features recited in claims 1 and 8.

The Nelson et al. patent does not cure the deficiencies of the Pulsipher et al. patent. For the like reasons as set forth above, the Nelson et al. patent would not have taught or suggested the features recited in claims 1 and 8.

For the foregoing reasons, Appellants' claims 1 and 8 are allowable over the combination of the Pulsipher et al. patent with the Nelson et al. patent. The remaining claims depend from independent claim 1 and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. As such, the present application is in condition for allowance.

VIII. Claims Appendix

See attached Claims Appendix for a copy of the claims involved in the appeal.

IX. Evidence Appendix

None.

X. Related Proceedings Appendix

None.

XI. CONCLUSION

The Examiner has not established a prima facie case of obviousness in rejecting claims 1-8. A reversal of the final rejection, and allowance of the present application, are therefore requested.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date July 6, 2007

By:


48,360
Patrick C. Keane
Registration No. 32858

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620



Table of Contents

| | | |
|-------|---|---|
| I. | Real Party in Interest..... | 2 |
| II. | Related Appeals and Interferences | 2 |
| III. | Status of Claims | 2 |
| IV. | Status of Amendments | 2 |
| V. | Summary Claimed Subject Matter | 2 |
| VI. | Grounds of Rejection to be Reviewed on Appeal | 3 |
| VII. | Argument..... | 4 |
| VIII. | Claims Appendix..... | 6 |
| IX. | Evidence Appendix..... | 7 |
| X. | Related Proceedings Appendix | 7 |
| XI. | CONCLUSION..... | 7 |



VIII. CLAIMS APPENDIX

The Appealed Claims

1. A method of managing a computer network, comprising the steps of:
assigning to at least one collection computer a management domain identifier uniquely associated with a management domain in which each collection computer resides;

receiving, in at least one management computer, information from the at least one collection computer that includes the management domain identifier and a trust flag to indicate a binary setting;

deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag; and

maintaining within the at least one management computer a database of the information accessed using the management domain identifier.

2. The method of claim 1, wherein the step of assigning comprises the step of:

establishing at least one management domain, wherein each management domain includes at least one collection computer.

3. The method of claim 1, wherein the management domain identifier is a domain name of the management domain.

4. The method of claim 1, wherein the information is network topology information.

5. The method of claim 1, wherein the step of receiving comprises the steps of:

receiving first information from a first collection computer, wherein the first information includes a first network address and a first management domain identifier;

receiving second information from a second collection computer, wherein the second information includes a second network address and a second management domain identifier, wherein the second network address is identical to the first network address;

comparing the second network address to the first network address using the second management domain identifier and the first management domain identifier;

assigning a network element associated with the second network address as a primary network element when the second network address belongs to a different management domain than the first network address; and

assigning the network element associated with the second network address as a secondary network element when the second network address belongs to a same management domain as the first network address.

6. The method of claim 5, wherein the step of maintaining comprises the step of:

using management domain identifiers to consolidate network topology information from collection computers having identical network addresses and belonging to different management domains.

7. The method of claim 1, comprising the step of:
managing, by each collection computer, at least one network object; and
resolving, by each collection computer, a network address of each network object into a resolved network address included in the information received at the at least one management computer.

8. A system for managing a computer network, comprising:
a plurality of collection computers, wherein each collection computer is assigned a management domain identifier uniquely associated with a management domain in which each collection computer resides;
at least one management computer for receiving information, from the plurality of collection computers, that includes the management domain identifier and a trust flag to indicate a binary setting, the at least one management computer being

capable of deciding whether to resolve a hostname in the information being reported by the collection computers based on the binary setting of the trust flag; and
at least one computer database for maintaining within the at least one management computer information accessed using the management domain identifier.



Appeal Brief
Application No. 09/838,239
Attorney's Docket No. 10007591-1

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

None.